

REMARKS RELATED TO THE AMENDED CLAIMS

New independent claim 20 incorporates the structure and function of old claims 1 and 4. The water treatment system now includes a foam removal tank with vacuum connected to and downstream from the first flow through module. The examiner mentions in the second paragraph on page 4 of the office action that the Gotz patent application does not disclose a clarifier, foam removal tank and filters. This is true! The examiner mentions in the third paragraph of page 4 that the Morkovsky patent does disclose foam tanks, clarifier and filters. This is also true! But, the Morkovsky patent does not disclose the use of a vacuum with a foam removal tank. The vacuum is important in that it draws suspended solids, oils and any lighter than water contaminants from the foam removal tank. Also, the vacuum is used to burst bubbles to remove entrained air. This feature removes the majority of contaminants left in the downstream treated influent wastewater and prior to the water entering the clarifier. By using the vacuum to remove a large percentage of the contaminants, the efficiency of the clarifier is greatly improved. As mentioned above, the Morkovsky patent does not address the use of a vacuum in conjunction with the foam removal tank for removing floating floc, contaminants and entrained air. Claim 20 is distinguishable of the cited patent references and should now be allowed.

Claims 2, 3, 5, and 6 are dependent on the patentable structure of claim 20. These claims should be allowed.

Independent claim 21 is similar to claim 20 and describes the water treatment system with alternating current to the electrodes in the surge tank and the flow-through

module. The above remarks related to claim 20 also apply to claim 21. Claim 21 should be allowed.

Claims 8, 9, 11, 12 and 13 are dependent on the patentable structure and function of claim 21. These claims should be allowed.

Independent claim 22 is similar to claims 20 and 21 and describes a wastewater treatment process including the step of discharging the treated wastewater from the flow-through module into a foam removal tank with vacuum. The vacuum used for removing the foam and floating sludge from the treated water in the foam removal tank. The above remarks related to claim 20 also apply to process steps of claim 22. Claim 22 should be allowed.

Claims 15, 16, 18 and 19 are dependent on the patentable steps of claim 22. These claims should be allowed.

CONCLUSION

Re-examination, reconsideration and allowance of the application are requested in view of the foregoing remarks and amendments to the claims.

Should the examiner have any questions regarding this amendment it is urged that he contact the undersigned.

Respectfully submitted,

Edwin H. Crabtree

Edwin H. Crabtree, Patent Attorney
Registration Number 26,720
3773 Cherry Creek N. Dr. Suite 575
Denver, Colorado 80209
303 322 7460

CERTIFICATE UNDER 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington,

D.C. 20231, on Oct. 13, 2003

Date: 10/13/2003 Edwin H. Crabtree

Applicant's Attorney